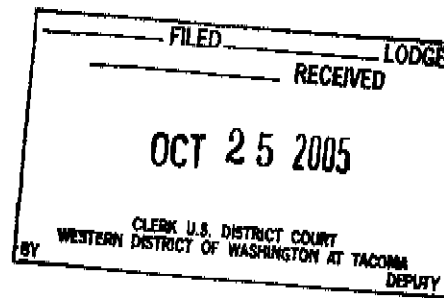


Judge Leighton



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE GARCIA ROMERO,

Defendant.

NO. CR05-5388RBL

ORDER CONTINUING
TRIAL DATE

THIS MATTER came before the Court upon motion of the defendant, JOSE GARCIA ROMERO and his attorney Paula T. Olson requesting an Order granting a continuance of the trial date, and there being no objection from the United States, by and through John McKay, United States Attorney for the Western District of Washington, and Douglas B. Whalley and Matthew H. Thomas, Assistant United States Attorneys for said district, and the Court having considered the statements of counsel, the defendant's waiver of speedy trial, and the record in this case,

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(iv), that failure to grant a continuance in this case, which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny counsel for the defendant the reasonable time necessary for effective preparation, due to the fact that defense counsel has recently been appointed in this case and needs time to review

1 the evidence, to consider possible defenses, and to discuss possible resolution of the
2 case with the government, taking into account the exercise of due diligence;

3 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
4 3161(h)(8)(B)(i) that failure to grant such a continuance in the proceeding would be
5 likely to make a continuation of such proceeding impossible, or result in a miscarriage
6 of justice.

7 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code,
8 Section 3161(h)(8)(A), the ends of justice will best be served by a continuance, and that
9 they outweigh the best interests of the public and the defendant in a speedy trial.

10 THIS COURT FURTHER FINDS that all of the additional time requested
11 between the old trial date of October 24, 2005, and the new trial date of January 17,
12 2006, is necessary to provide counsel for the defendant the reasonable time necessary to
13 prepare for trial.

14 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be
15 continued until January 17, 2006, at 9:00 a.m., with a pretrial conference on
16 January 10, 2006 at 9:00 a.m., and the due date for filing of pretrial motions is
17 continued to December 5, 2005. The time between this date and the new trial date is

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1 excluded in computing the time within which a trial must be held pursuant to Title 18,
2 United States Code, Section 3161, et. seq.

3 DATED this 25th of October, 2005.

4 
5 RONALD B. LEIGHTON
6 United States District Judge

7 Presented by:

8
9 s/Paula T. Olson *

10 PAULA T. OLSON
11 attorney for Defendant
12 Jose Garcia Romero
13 *Telephonic Approval

14 /s Matthew H. Thomas

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CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2005, I electronically filed the foregoing Order Continuing Trial Date with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney of record for the defendant.

s/ Sharon D. Nelson
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